

GALLOWAY, JOHNSON, TOMPKINS, BURR & SMITH

MEMO ENDORSED

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August 13, 2008

**VIA FACSIMILE**

The Honorable William H. Pauley, III  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 2210  
New York, New York 10007

Re: BBC Chartering & Logistic GmbH & Co. K.G. v. Usiminas Mecanica S/A, et al  
USDC, Southern District of New York, Case No. 08-Civ. 200 (WHP)  
Our File No. 0106-41-6

Dear Judge Pauley:

Pursuant to your individual practices and procedures, BBC Chartering & Logistic GmbH & Co. K.G. ("BBC") on behalf of all parties requests an additional extension of pending dates scheduled for defendants' motions to dismiss and for BBC to conduct jurisdictional discovery.

The parties have previously requested extensions which Your Honor granted. The reason for this additional request is to accommodate the corporate deposition of defendant Perini O&G, which will take place the week of August 18, 2008. Given that deposition(s) would take place that week, it will be extremely difficult for BBC to fully brief the motions before the August 22 filing deadline. Moreover, when scheduling the previous deadlines, counsel for BBC and counsel for Usiminas Mecanica S/A did not realize that they will be unavailable for oral argument on September 29, 2008, because of trials that were previously scheduled.

For these reasons, all parties jointly request that the currently scheduled motion deadlines and hearing dates be changed in line with the foregoing:

- Plaintiff's opposition papers due Friday September 5
- Defendants' replies, if any, due Friday September 19
- Oral argument set October 17 at 11:00 a.m.

Application granted.  
SO ORDERED:

WILLIAM H. PAULEY III U.S.D.J.

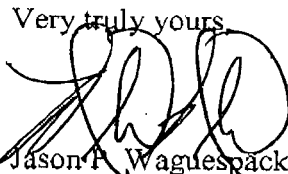
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We thank the Court for its consideration of the foregoing request.

With an expression of respect, we remain

Very truly yours  
  
Jason P. Waguespack  
Michael J. Nicaud

JPW/MJN

cc: **VIA FACSIMILE**  
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